

**ENTERED**

September 26, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MELANIE MYERS

VS

KILOLO KIJAKAZI, Acting Commissioner  
of Social Security Administration

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§  
§  
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§

CIVIL ACTION NO. H: 21-3033

**ORDER ADOPTING MEMORANDUM AND ORDER**

Pending before the Court in the above referenced proceeding are the parties' cross-motions for summary judgment (Doc. Nos. 14-15); responses (Doc. Nos. 15, 16, 24); replies (Doc. Nos. 17, 25, 26); responses and replies (Doc. Nos. 17-18); Judge Sheldon's Memorandum and Recommendation (Doc. No. 20) that the Court grant the Defendant's Motion for Summary Judgment and deny Plaintiff's Motion for Summary Judgment.


The Court has carefully reviewed, *de novo*, the filings, the applicable law, the Magistrate Judge's Memorandum and Recommendation, and the objections thereto, and agrees with the Magistrate Judge's conclusion that the Administrative Law Judge's findings as to Plaintiff's Residual Functional Capacity are supported by substantial evidence. Accordingly, it is hereby

**ORDERED** that Plaintiff's Objections (Doc. No. 21) are **OVERRULED**; the Memorandum and Recommendation (Doc. No. 20) is **ADOPTED**; Plaintiff's Motion for Summary Judgment (Doc. No. 14) is **DENIED**; and, Defendant's Motion for Summary Judgment (Doc. No. 15) is **GRANTED**. It is further

**ORDERED** that Plaintiff's case is **DISMISSED WITH PREJUDICE**.

Entry of this Order shall constitute entry of final judgment.

SIGNED at Houston, Texas, this 26<sup>th</sup> day of September 2022.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', written over a horizontal line.

ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE